4 SELECTED TRANSLATOLOGICAL ASPECTS OF EU TEXTS

The final monograph’s chapter pays heed to an analysis of translatological aspects of EU institutional-legal texts. First, it turns its research focus to the analysis of translation procedures in Euro-texts separately and subsequently to a comparative analysis with a seemingly incommensurable literary text. The chapter will close with a pertinent analysis of hybridity in EU-ese.

4.1 Some Thoughts on Translation Procedures as Employed in Acquis Communautaire Documents

4.1.1 Getting to grips with the terminological cul-de-sac

When analysing translations in general there are certain linguistic categories that allow us to examine how the target text (TT) functions in relation to the source text (ST). These categories are widely known as “translation procedures” or “translation techniques.” It should be highlighted at this point, though, that considerable terminological disagreement looms large among translation studies scholars regarding the proper label to be used in this connection (cf. Molina and Hurtado Albir 2002: 498-499). For this subchapter’s sake, however, I hold on to the former terminological designation. I will now shed some light on translation procedures from a conceptual point of view and attempt to draw a line of demarcation between them and other translatological notions with which they are more often than not unjustly confused.

Translation procedures may be understood as a tool of textual analysis that represents a process of searching for notable semantic and formal relations arising between the original and the target text. Translation procedures commonly originate from a textual comparison of the original and its pertinent translation. In the long run, they have a bearing on a text’s microstilistics, *i.e.* they influence lower levels of a text’s structure: its sentences and parts thereof. When opting for appropriate translation procedures, the translator should not refrain from keeping their eye on translation method they had chosen initially. Notably, translation procedures depend on the choice of translation method, which is a global choice of a translator on a large scale. For instance, if the aim of a translator is to produce an exoticizing
translation which should respect all the particularities of a source culture, they are to opt for a foreignizing translation method and in line with this the translation procedure of borrowing should rightly be expected to be the most frequent one.

However, translation procedures and translation methods are not to be muddled with translation strategies\(^{20}\) that refer to procedures that translators themselves activate when dealing with translation problems, when they unscramble semantic relations among words, when they distinguish between core and less important ideas or when they reformulate some information. All in all, translation strategies are a firm part of a translator’s competence and they open up ways for finding an appropriate translation solution on the basis of a suitable translation procedure chosen.

### 4.1.2 Analysis of translation procedures in the EU text corpus

After a somewhat brief glimpse into the terminological chaos that is inexorably bound up with translation procedures, I would now like to move on to presenting my very own proposed model of translation procedures that I elaborated exclusively for the genre of EU institutional-legal documents. Having a firm aim in mind, I drew on earlier models as propounded by Vinay and Darbelnet (1958/1995; cf. Table 13), Newmark (1981, 1988) and Schreiber (1993), which opened up new vistas for application of the mentioned translation models to institutional-legal texts. The advantage of combining the models above lay in a possibility of developing such a synthetizing model based on the application to the studied text type so that it would best reflect its quintessential features (cf. Table 14). Statistically, this part of research drew on a database of 2,663 excerpted language units taken for particular translation procedures in *MS Excel*, which should provide one with reasonably sufficient corpus material for a qualitative contrastive linguistic analysis.

\(^{20}\) On the other hand, one should not strictly rule out the possibility of “translation strategy” functioning as “translation procedure” at the same time. Consider e.g. the strategy of paraphrasing the source text information which *de facto* results in adding some extra information in the target text. This information addition makes up what is commonly referred to as the translation procedure of “expansion.”
As can be seen in Table 13, Vinay and Darbelnet, who rank as prominent representatives of the French Comparative School of Stylistics, identified direct and oblique translation procedures within their model (1958/1995: 30-41). While the former (i.e. borrowing, calque) rest on a minimum source structure modification and occur when there is an exact (structural, lexical, morphological) equivalence between the languages, the latter (i.e. transposition, modulation) are used due to significant structural or conceptual asymmetries arising between the source and the target language. Moreover, oblique translation procedures 21 Equivalence and adaptation as translation procedures put forward by Vinay and Darbelnet (1958/1995) seem apt on the one hand for translating idioms, clichés, proverbs etc. or when the type of situation being referred to by the SL message is unknown in the TL culture, on the other. (In: Venuti 2000: 90-91). For this reason, the incidence of the said procedures in the analysed EU text corpus is automatically ruled out due to an intrinsic nature of legalese. The incidence of adaptation and equivalence is much more expected in a figuratively-loaded text genre, i.e. literary text. Therefore, in order to elaborate my own fully-fledged model, I had to lean upon other inspiring translation models.

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are connected with overcoming metaphorical lacunae in the target language which have to be filled with corresponding elements in such a way so that there is an impression that the message of a resulting text is the same. It is noteworthy that this dichotomy between the direct and oblique translation procedures is redolent of the well-known literal vs. free translation distinction.

Furthermore, when assessing Vinay and Darbelnet’s model, one can hardly overlook two fundamental translation strategies that are mirrored in it, notably *exotization and naturalization*. While the former is grounded on an undisturbed approach towards the TT and retains elements of the source language (culture) environment, the latter is based on the substitution principle and underscores the potential of the TT and its culture. Since in the EU setting it is first and foremost the source text and its structure which make for crucial factors having a bearing on the translation strategy choice on the basis of which the EU translator approaches the translation process, an overall exoticizing approach to EU translation may be rightfully expected. The naturalizing approach should occur to a lesser extent.

The following section gives an overview of the principal translation procedures as applied to the eurotext translations under study. Each and every mapped out translation procedure is introduced to the recipient uninitiated in its essence. Consequently, its qualification facet with supporting excerpted corpus examples is provided in the respective tables.

4.1.2.1 Transposition

This classic translation procedure involves replacing one part of speech with another without changing the meaning of the message. This is the only translation procedure that has something to do with grammar even if a good many translators make transpositions intuitively (Newmark 1988: 88). That said, translators usually commence their search for desired translation equivalence by debating the possibility of formal correspondence between the languages entering the translation process. However, in case that no identical formal equivalent seems available, they readily have recourse to performing transpositions as a consequence of keeping the text information invariant.

As far as transposition is concerned, it is usually distinguished between *word-class* (*i.e.*, formal) and *sentence-member transposition* (*i.e.*, functional), and this was equally observed in the assembled corpus. While the former involves a change of a word-class of an element between the SL and TL, the latter rests on a change of a syntactic function of a TL
element against the SL element. Tables 15 and 16 respectively give an overview of selected English-Slovak word-class and sentence-member transpositions stemming from the EU text corpus under study with the most frequent typological classification.

**Table 15** Word-class transposition

<table>
<thead>
<tr>
<th>English</th>
<th>Slovak</th>
<th>Function</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is a need to promote active citizenship</td>
<td>Je potrebné podporovať aktívne občianstvo</td>
<td>N → Adj</td>
</tr>
<tr>
<td>The Lifelong Learning programme should be regularly monitored and evaluated [...] in order to allow for readjustments</td>
<td>Program celoživotného vzdělávání by sa mal pravidelné monitorovať a hodnotiť [...], aby sa mohol upravovať</td>
<td>N → V</td>
</tr>
<tr>
<td>The Member States stall endeavour to adopt all appropriate measures to remove legal and administrative obstacles to the proper functioning of the Lifelong Learning Programme</td>
<td>Členské štáty sa usilujú prijať inštitúcie vhodné opatrenia na odstránenie právnych a administratívnych prevádzkových obmedzení riadného fungovania programu celoživotného vzdělávania</td>
<td>V → N</td>
</tr>
<tr>
<td>budgetary availability</td>
<td>dostupnosť rozpočtu</td>
<td>Adj → N</td>
</tr>
</tbody>
</table>

**Table 16** Sentence-member transpositions

<table>
<thead>
<tr>
<th>English</th>
<th>Slovak</th>
<th>Function</th>
</tr>
</thead>
<tbody>
<tr>
<td>The actions referred to in this Article may be implemented by means of calls of proposals</td>
<td>Akcie uvedené v tomto článku možno vykonávať prostredníctvom výziev na predloženie návrhov</td>
<td>Subj → Obj</td>
</tr>
<tr>
<td>The Community is to aim to eliminate inequalities and promote equality</td>
<td>Cieľom Spoločenstva musí byť odstránenie nerovností a presadzovania rovnosti</td>
<td>Obj → Att N</td>
</tr>
</tbody>
</table>

An intriguing finding within the performed corpus analysis is that word-class and sentence-member transpositions cannot be separated too strictly from each other for the change of a word-class fairly frequently leads to a change of syntactic function of a TL element, as amply demonstrated by the following example: Operating grants as referred to in Article 5(1)(g) to support certain operational and administrative costs may be awarded. ~ Ako sa uvádza v článku 5 ods. 1 písm. g) môžu sa prideliť operačné granty na podporu niektorých prevádzkových a administratívnych nákladov.
Here, the V→ N word-class transposition from English into Slovak is accompanied by a functional Obj→ Att N transposition. Therefore, “transposition fusion” does not make for an infrequent contrastive linguistic phenomenon.

Based on the excerpted corpus examples it can be argued that transpositions make for **interlingual shifts in a grammatical structure or function of TL units**. When using transposition, SL and TL syntagmatic/syntactic structures possess the identical meaning, however, they do not match in terms of their formal/functional facet. Given the significant linguistic-structural differences between the English and Slovak codes, transpositions, of whatever kind, are eligible for being an abundant group in the corpus.

### 4.1.2.2 Modulation

This oblique translation procedure entails a “variation of the form of the message, obtained by a change in the point of view” (Venuti 2000: 89). This implies that modulation is grounded on a shift of cognitive categories between the two languages. This shift is deemed to be justified when a literal or even transposed translation results in a grammatically correct utterance but it is still considered somewhat unsuitable, unidiomatic or awkward in the TL (ibid). Of all translation procedures, modulation appears to be the most thoroughgoing: whereas transposition puts translator’s grammatical abilities to the test, modulation is said to be a real touchstone of a competent translator. The cause for this is to be sought in the very nature of modulation. Whereas transposition affects grammatical function of TL units only, modulation involves **alteration of semantic categories** or processes by which thoughts are conveyed.

An in-depth analysis of the EU corpus has revealed that modulation can be encountered both in lexis as well as in syntactic structures. Modulation of the former type has been labelled as the so-called **“modulation of expression”** whereas modulation of the latter kind has been given the designation of the so-called **“pure modulation,”** in compliance with Newmark’s terminology (1988: 88-89). On the one hand, modulation of expression, predominantly terminologically-oriented, can be exemplified by *e.g. exchange of good practice ~ výmena osvedčených postupov, legal challenge ~ opravný prostriedok, portability of credits ~ potreba uznávania kreditov* or even by the sentence such as *e.g. the Joint Committee shall meet every second year ~ Spoločný výbor zasadá raz za dva roky*, where modulation is purely functional; ‘every second year’ appearing as ‘raz za dva roky’ in a ploy aimed at greater naturalness of the TL expression in terms of the temporal perspective. On the
other hand, pure modulation, which is syntax-oriented as mentioned above, occurs in *e.g.* Administration of these actions shall be implemented by the competent officials of each Party ~ Správu týchto činností vykonávajú príslušní úradníci z každej strany, where the object in the English passive corresponds to the subject in the Slovak active sentence.

A crucial finding regarding the quantitative corpus analysis is that modulation, though extremely frequent in literary translation, is much less so in the genre of institutional-legal texts (cf. Table 18 and Alcaraz and Hughes 2002: 185 for comparison).

### 4.1.2.3 Permutation

When comparing English and Slovak EU documents, *positional divergences* of lexico-syntactic TL elements from their original positions in the source text could not have passed unnoticed. This interlingual phenomenon is referred to as permutation within my proposed model. In light of the above mentioned observation, permutation is connected with differences in a linear sentence organization. Depending on the extent of resulting positional divergences, we can speak of *minimum, median or maximum permutation*, as given in Table 17.

<table>
<thead>
<tr>
<th>The Host institutions shall not charge tuition fees to such students</th>
<th>Hostiteľské inštitúcie týmto študentom neúčtujú školné</th>
<th>minimum permutation &lt;+1 &gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>The measures necessary for the implementation of the Lifelong Learning Programme relating to the following matters shall be adopted by the Commission [...] in accordance with the procedure referred to in Article 10 (2)</td>
<td>Komisia prijme v súlade s postupom uvedeným v čl. 10 ods. 2 opatrenia potrebné na realizáciu programu celoživotného vzdelávania, ktoré sa týkajú týchto oblastí</td>
<td>median permutation &lt;-1, +1&gt;</td>
</tr>
<tr>
<td>There is a need to widen access for those from disadvantaged groups and to</td>
<td>Pri realizácii všetkých častí programu je potrebné rozšíriť dostupnosť na osoby zo</td>
<td>maximum permutation &lt;-1&gt;</td>
</tr>
</tbody>
</table>

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Table 17 Minimum, median and maximum permutation

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Examined word-order inversions between the SL and TL can also be roughly characterized by means of Kendall’s correlation coefficient τ, varying between <-1, +1> wherein the value -1 stands for the very opposite word-order and that of +1 for the absolutely identical one (see Krupa 1980: 135 and http://en.wikipedia.org/wiki/Kendall’s_tau). However, to put the record straight, our minimum permutations have been marked with the value +1 to stand for relatively minor differences in the linear sentence organization when comparing the ST and TT. In case of maximum permutations, on the other hand, Kendall’s concept of “oppositeness” of word-order implies rather considerable word-order differences, *i.e.* replacement of large stretches of sentences from the middle section of a paragraph to its initial sentence section etc.
address actively the special learning needs of those with disabilities, in the implementation of all parts of the programme, including the use of higher grants to reflect the additional costs of disabled participants, and the provision of support for the learning and use of sign languages and Braille

The excerpted example of median permutation in Table 17 demonstrates an interesting finding that the translation procedure of permutation does not occur in isolation but fairly often in combination with the sentence-member transposition, which implies that translation procedures as such hardly ever occur on their own. All in all, the unequivocally most frequent occurrence of minimum permutation in the documents under study testifies to the institutional translators’ efforts to retain the word-order as present in English language versions and consequently a similar ordering of sentence constituents in the Slovak translation versions. In this manner, an analogical conceptualization of an English legal document in its Slovak translation version is de facto achieved.

4.1.2.4 Expansion and reduction

Moving onwards, expansion and reduction can be perceived as complementary antithetical translation procedures. As to the former, expansion rests on adding some extra information into the target text, i.e. words that are absent in the original but which have to be present so that the TT was better understood and sounded more natural to the recipient’s ear. Compare the following SL and TL units: calls for proposals ~ výzvy na predloženie návrhov; teacher training ~ odborná príprava učiteľov; European Anti-Fraud Office ~ Európsky úrad pre boj proti podvodom. Thus, expansion can be understood as a translation universal since it results from a translation situation rather than interlingual contact. In case of EU translation, interestingly enough, some expansions seem to be motivated by the influence of the legal context, e.g. in Article 3 (3)(a) ~ v článku 3 ods. 3 písm. a).

On the other hand, reduction consists in omitting certain grammatical or lexical elements from the source text. Therefore, the procedure at hand is based on applying either lexical generalization or contraction to a SL element or on grammatical ‘downgrading’, as
demonstrated by the following excerpted examples: *the European Community will provide support for the use of the European Community projects partners ~ Európske spoločenstvo bude spravidla poskytovať podporu partnerom projektov z Európskeho spoločenstva; residence permit issued to unremunerated trainees ~ povolenie na pobyt pre neplatených stážistov.*

Seen from a quantitative angle, expansions make for a relatively abundant procedure in the corpus, which can be explained by the general nature of translationalese. On the other hand, reductions represent by a long way only a minority group in the corpus. The low occurrence of the stated translation procedure speaks volumes about the nature of translation work in the EU institutions: the translator cannot take the liberty of taking away information from the source text and in this fashion ‘underinterpret’ the text.

### 4.1.2.5 Calque

Calques are literal translations of names from the SL into the TL; *literal borrowings of transparent designations from the SL* which have their respective literal equivalents in the TL. Moreover, calque is a word/phrase that morphematically and semantically mimicks a foreign word/phrase in the TL. Thus, it can be argued that a certain imitation of the SL form, its mimesis is strived for on the part of the translator.

Newmark (1981: 76) stresses the importance of using this procedure\(^{23}\) when rendering the names of international organizations, often consisting of ‘universal words’ with a fairly transparent structure. Consider these concrete examples taken from the assembled EU corpus: *European Parliament ~ Európsky parlament, European Economic and Social Committee ~ Európsky hospodársky a sociálny výbor, EEA ~ EHP* etc. In addition, Newmark goes as far as using for such generally accepted renderings of institutional terms a specific designation, notably that of *“recognised translation”*. In my view, recognised translation may be taken for an already resolved issue, while calque as such may still be in its infancy so to speak because terms that are being taken over as neologisms from the point of view of their usage are often haphazardly calqued and only with the lapse of time their established designation, *i.e. recognised translation* comes into existence. In the examples adduced above, it would make no sense anymore to muse on potential translation variants of the given expressions; any other translations would lead to an incorrect translation (see Gibová 2008: 59f for more). On

\(^{23}\) Terminologically-speaking, Newmark is not found particularly prone to use the term “calque”. Instead, he gives preference to, in his own words, “a more transparent term, that of ‘through-translation’ (1981: 76)”.

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the basis of the textual analysis performed, a conclusion has been reached that either **semantic** (public security ~ verejná bezpečnosť, operational objectives ~ operačné ciele, mutual enrichment ~ vzájomné obohacovanie) or **word-formation calques** can be formed (biannual report ~ dvojročná správa, pre-accession strategy ~ predvstupová stratégia).

All in all, it is essential to accentuate that calquing as such represents a unique way of taking-over lexical units because it is not phrases or syntagmas that are being taken over but rather their motivation, either of word-formation or semantic nature. This forms the basis of word-formation and semantic calque distinction. In quantitative terms, in the analysed EU documents, the latter type with 92.25% is prevalent. It is vital to realize that EU documents embody an independent supra-national textual unit. Therefore, it is not the translator’s task to adapt these documents to national legislation texts, but keep them in the unchanged form, striving for the most faithful expressions for the source text. In this way, in each official language of the Union a new textual type comes into existence, which is being transformed into national legislation documents within the European legislation approximation process.

**4.1.2.6 Borrowing**

With borrowing, a SL word is transferred directly to the TL. It remains debatable if this is a translation procedure at all because no significant structural change is taking place in the TL, only orthography of a word is adapted at its best. On the other hand, no other translation procedure seems fitting for describing the phenomenon when a translator opts for using a SL word in a target text. When taking over foreign expressions, a term can be taken over either with its original wording (eLearning, Joint Masters), or with an adaptation of a denomination to the norms of the TT both on graphic and phonetic levels (migration ~ migrácia, subsidiarity ~ subsidiarita, mobility ~ mobilita). Employing Newmark’s terminology (1988), the former would be called **transference** and the latter **transcription**.

It is further noteworthy that when taking over a word from the SL into the TL with borrowing the transfer of both its formal and semantic facet is taking place at the same time. Precisely in this the discussed procedure differs from that of calquing where only the semantic facet of a given word is transferred.

With borrowings, the activity of the Slovak language to absorb as much as it can in the era of globalization becomes visible. Having the temporal dimension in mind, there are borrowings which still sound fairly novel or exoticizing, but one can come across such
borrowings which have been domesticated with the lapse of time and they have become fully-fledged members of a given language inventory, too.

### 4.1.3 Summary of results

To sum up, it is vital to accentuate that current tendencies in translating EU documents are heading towards using the translation procedure of calquing. In the assembled corpus with a total of 955 occurrences they make up 35.86% of all identified procedures (see Table 18). This means that in the Slovak language versions an exoticizing approach to translation is prevalent. Direct translation procedures are preferred over oblique ones; calques along with borrowings make up 43.07% while transpositions and modulations represent 31.24% of all materialized translation procedures. A relatively high degree of incidence of calques and borrowings can be explained by EU language policy and its institutional guidelines which prompt EU translators to adhere to a source text and eventually induce them to copy its language structures.

#### Table 18  An overview of translation procedures in the EU text corpus

<table>
<thead>
<tr>
<th>Procedure Type</th>
<th>Text A</th>
<th>Text B</th>
<th>Text C</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>transposition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>word-class</td>
<td>317</td>
<td>150</td>
<td>51</td>
<td>518</td>
<td>26.47</td>
</tr>
<tr>
<td>sentence-member</td>
<td>122</td>
<td>39</td>
<td>26</td>
<td>187</td>
<td></td>
</tr>
<tr>
<td>permutation</td>
<td>111</td>
<td>40</td>
<td>25</td>
<td>176</td>
<td>6.61</td>
</tr>
<tr>
<td>expansion</td>
<td>356</td>
<td>56</td>
<td>53</td>
<td>465</td>
<td>17.46</td>
</tr>
<tr>
<td>reduction</td>
<td>17</td>
<td>17</td>
<td>9</td>
<td>43</td>
<td>1.61</td>
</tr>
<tr>
<td>modulation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>pure</td>
<td>37</td>
<td>13</td>
<td>14</td>
<td>64</td>
<td>4.77</td>
</tr>
<tr>
<td>m. of expression</td>
<td>21</td>
<td>32</td>
<td>10</td>
<td>63</td>
<td></td>
</tr>
<tr>
<td>calque</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>semantic</td>
<td>468</td>
<td>207</td>
<td>206</td>
<td>881</td>
<td>35.86</td>
</tr>
<tr>
<td>word-formation</td>
<td>62</td>
<td>6</td>
<td>6</td>
<td>74</td>
<td></td>
</tr>
</tbody>
</table>

Although, as expected, the naturalizing approach occurs in the studied EU documents to a lesser extent (the frequency of occurrence of oblique translation procedures is approximately 1.38 times smaller in comparison with the direct translation procedures), transpositions represent an abundant group in the corpus. These account for 26.47% of all identified translation procedures, which makes them the second most frequent procedure after calques. By this finding a significant linguistic-structural distance between the English and Slovak codes has been established. Furthermore, the ascertained values of expansions and permutations could be expected to a considerable degree due to an intrinsic character of translation activity and the tendency of explicitation as a translation universal at work. The most backgrounded procedure transpired to be that of reduction with a value of 1.61%, which is fully in compliance with the rigidity of EU language policy which forces the translator to transfer a given text from the SL into the TL without any omitting the SL inventory constituents. This is indeed determined by the function and position of institutional-legal texts. It has been amply demonstrated in this monograph’s subchapter that the analysis of translation procedures employing a combination of the methodology of the translation models as worked out by Vinay and Darbelnet, Newmark and Schreiber, has a sound applicability in the case of EU institutional-legal documents. Last but far from least, I fully realize that not every partial area of the research conducted has been given such space in this subchapter as it would deserve due to its limited scope. In spite of this realization, I humbly believe that I have done justice to at least some of the problems involved in the analysis of translation procedures.

### 4.2 Non-Literary and Literary Text in Translation Juxtaposed

What, if anything, is distinctive about non-literary and literary text and their translation? Few would doubt their intuitive sense that there is a palpable difference between e.g. a legal text and a work of fiction, which could be referred to as very ‘unlike’ or ‘dissimilar’ ends of the range, respectively even by a lay person. This monograph’s subchapter aims to compare translation procedures in two typologically dissimilar text types and subsequently find out their pertinent text genre characteristics. To this end, an EU
institutional-legal text, *Council Directive 2004/114/EC* and an excerpt taken from the novel *The Shack* by William P. Young have been used. The reason why these two case texts have been picked is because the contrast between them is clearly evident. In order to investigate translation procedures, two quite different text types have been chosen.

Crucial to this comparative subchapter is the concept of ‘translation procedure’, *i.e.* a tool of textual analysis originating from comparing the source and target text which affects sentences and smaller units of language (Newmark 1988: 81). According to Molina and Hurtado Albit (2002: 509), translation procedures (or techniques) are used functionally and dynamically in terms of the genre of the text (a Council Directive and a novel in our case), type of translation (specialized and literary), purpose of the translation, characteristics of the translation audience, and the method chosen and have a bearing on a text’s microstylistics.

However, it should be stressed that even if the topic of translation procedures seems of considerable relevance within translation studies nowadays, publications on translation procedures have never been high on the agenda of translation studies. Whereas the topic itself invites a good number of researchers to touch upon it tangentially in terms of one-off articles (*e.g.* Salkie, 2001; Molina and Hurtado Albit, 2002; Klaudy and Károly, 2005; Pym, 2005; Orduhari, 2007; Zakhir, 2008; and more recently Garnier, 2009 and Gibová, 2011), I believe that this translatological problem area deserves a more focused treatment so as to make up for this shortfall. Therefore, the current state of affairs might be seen as a source of major motivation for the presented research.

As far as methodological considerations underlying this subchapter are concerned, by means of the study of the secondary sources, relevant knowledge necessary for the approach to non-literary and literary texts have been inferred and consequently applied to the corpus text analysis zeroing in on comparing translation procedures. Granted, in order to perform a comparative analysis of translation procedures in a due manner, the delimitation of crucial terms such as transposition, modulation, expansion, reduction, permutation, calque and borrowing had to take place first. Moreover, the gamut of the above-said translation procedures had to be expanded for the literary text so as to comply with its considerably wider range of lexico-structural language resources and metaphorical character. Vinay and Darbelnet’s (1958/1995), Newmark’s (1981, 1988) and Schreiber’s (1993, 1998) models of translation procedures served as crucial theoretical underpinnings. What is more, this case study simultaneously aimed to put the applicability of my own synthesizing translation procedures construct (Gibová, 2011) to the examined literary text to the test. Even if the models of translation procedures by Vinay and Darbelnet, Newmark and Schreiber have been
taken as a point of departure, this does not mean that other translation studies scholars’ interpretations of the investigated procedures were strictly incompatible. On the contrary, other clarifications of the examined phenomena have been used whenever it was deemed necessary, useful or perhaps just thought-provoking for running counter to conventional assumptions.

4.2.1 Non-literary vs. literary text & translation

Before giving a comparative analysis of translation procedures, it is deemed reasonable to look at the properties of non-literary and literary texts and their translation beforehand. These are pre-determined by their pragmatic character and the realm of literature, which has an innate capacity to appeal to one’s feelings and unfetter one’s imagination.

If the style of non-literary texts (including EU texts) were to be analysed, one of their quintessential features would be represented by notionality, being the consequence of their thematic structuring since pragmatic content requires precision and unambiguously stated terms. In accord with this, the semantics of non-literary texts is confined to systemic coherence whereas all the other irrelevant associations are pushed to the background.

As far as the language of non-literary texts is concerned, there is a striking tendency towards stereotypical structures and language clichés. Precisely these means of expressions make the non-literary style more or less formalized. The direct relationship between language on the one hand and extra-linguistic reality on the other seems crucial in the non-literary style. Accordingly, non-literary translation in its essence stands for a “stylistic operation which is based not on the transfer of aesthetic but pragmatic information” (Popovič 1977: 192, translation by author). Despite insurmountable differences between non-literary and literary texts, a common point where non-literary and literary style meet is a stylistic field of iconicity since the translator of a ‘non-literary’, ‘specialized’, ‘pragmatic’ or ‘non-fictitious’ text, whatever its name, cannot be completely resistant to the figurative way of expression (ibid.: 193).

Clearly, the most important feature of a literary work of art is that it is a bearer of an aesthetic function. Literary text comes into existence as a subjectively transformed reflection of objective reality in tune with the aesthetic-emotional intent of the author: he/she endeavours to convey his/her ideas, thoughts and emotions, which is enabled by his/her orientation towards experience. As regards the choice of language resources, an immense lexical variability coupled with the uniqueness of expression comes to the fore here. Another
crucial feature of literary text is connected with the release of the polysemy of words for an adequate understanding of the text is achieved only “through a careful mapping of its entire denotative and connotative dimension” (Hermans 2007: 82). Besides, it is claimed that the principal feature of literary text rests on its focus on the message, not on content (see Landers 2001: 7; Burkhanov, 2003: 139; Hermans 2007: 78-79). Consequently, literary translation must be approached as “a kind of aesthetically-oriented mediated bilingual communication, which aims at producing a target text intended to communicate its own form, correspondent with the source text, and accordant with contemporary literary and translational norms of the receptor culture” (Burkhanov 2003: 139).

4.2.2 Examined translation procedures

For this monograph’s subchapter, the following translation procedures have been examined based on the contrastive comparing of the English and Slovak (non-)literary texts:

- **Transposition** – an intentional and often unavoidable grammatical change that occurs in translation from SL into TL. Word-class (WC) transposition (or formal transposition) is grounded on the change of word-classes between SL and TL. Sentence-member (SM) transposition (or functional transposition) rests on the change of the syntactic function of the TL element as against that of the SL element.

- **Modulation** – a shift of cognitive categories between two languages altering “the category of thought, the focus, the point of view and the whole conceptualization“ of a described phenomenon (Hardin and Picot qtd. in Zakhir 2008: 3). Occurs at the level of lexicon (so-called “lexical modulation” or “modulation of expression”) or syntax (so-called “pure modulation”) involving the change of the point of view based on the substitution of the passive voice for the active (or vice versa) in translation.

- **Expansion** – “a technique of resolving ambiguity, improving and increasing cohesiveness of the [source text] and also of adding linguistic and extralinguistic information” (Pápai qtd. in Becher 2010: 6), resulting in the increase of word count in TL.
• **Reduction** – a translation technique whereby “translators draw together the meaning of several words, and thus SL units consisting of two or more words are replaced by a TL unit consisting of one word; meaningful lexical elements of the SL text are dropped” (Klaudy and Károly qtd. in Pym 2005: 3), resulting in the reduction in the number of elements from the SL text.

• **Permutation** – a change of the sentence constituent order, an alteration of the organization of lexical/syntactic units, or words/sentence stretches

• **Calque** – literal translation of a transparent designation from SL which has its respective literal equivalent in TL. A word/phrase that morphematically and semantically mimics a foreign word/phrase in TL.

• **Borrowing** – taking over a foreign word into TL in order to introduce the flavour of the SL culture into translation and thus induce a stylistic effect

• **Recasting sentences** – alteration of sentence structure during translation process in such a manner so that SL complex sentences are recast as TL coordinate (or compound) sentences or SL complex sentences are rendered as two or more TL sentences (Newmark 1981: 30).

• **Adaptation** – a situational equivalence between ST and TT created by translator in cases where “the type of situation referred to by the SL message is unknown in the TL culture” (Vinay and Darbelnet 1958/1995: 39), usually when bridging a cultural gap between two languages.

• **Naturalization** – adaptation of the SL word to the grammatical rules of the TL in terms of pronunciation and morphology

• **Paraphrase** – amplification and free rendering of the meaning of the sentence; translation with latitude. Rests on a creative re-composition of the SL message which re-codes its communicative value in an artistic and unrestrained fashion, where the limits of interpretation are to be handled sensitively (based on Gibová 2012: 36-75).

### 4.2.3 Text corpus make-up & research questions

The corpus is made up of an English EU institutional-legal document entitled *Council Directive 2004/114/EC* and a novel excerpt *The Shack* penned by William P. Young including their Slovak translations. The whole text corpus comprises a total of 16,179 words that were
subject to a contrastive textual analysis. Both texts were picked from diametrically opposite textual genres on purpose in order to gain a meaningful comparative dimension promising intriguing research results. An important research inclusion criterion, however, was a roughly comparable time period of a text’s production so that no significant shifts in language development left their mark on the examined textual genres. Further, the novel excerpt’s word count was tantamount to that of the legal text so as to warrant relevant research outcomes.

The EU institutional-legal document (hereafter referred to as the ‘non-literary text’) falls under secondary legislation of the EU. More specifically, it is sourced from the thematic repertoire of education and training. The analysed text was retrieved from EUR-Lex database’s website (http://eur-lex.europa.eu/en/index/html) containing all EU legal documents published in the *Official Journal of the European Union* simultaneously in all, up to now, twenty-four official languages. What is of supreme importance, though, is that the non-literary text under discussion is a so-called ‘Euro-text’. That is to say that such a text is marked by an officially prescribed style, which is manifested in a very high degree of language similarity from text to text so that it is possible to speak about its ‘matrix form’ (Gibová 2010: 103) or ‘homogenous discourse’ (Schäffner 2001a: 172). In line with Schäffner and Adab (1997: 325), the analysed non-literary text is a hybrid text exhibiting features that are “strange or unusual to the receiving culture” as well as an informative-operative text type, drawing on Reiss’s framework (1981/2000), fulfilling an essentially pragmatic function. Further, the non-literary text has been identified with Newmark’s semantic or Nord’s documentary translation since these translation types are fully in compliance with the function and place of *acquis communautaire* documents within specialized communication by meticulous observation of the original.

On the other hand, the literary illustratory text sample *The Shack* (hereafter the ‘literary text’) is a novel with strong religious undercurrents written by the Canadian author, William P. Young, and published in 2007. *The Shack* has become a publishing phenomenon in the United States and was the top-selling work of fiction on the New York Times best-sellers list from June 2008 to early 2010. Despite its success and wide appreciation by its readership, however, the blockbuster novel has stirred criticism for its apparently edgy theological slant. On the other hand, as magnified as it might seem, the novel’s reviewer Eugene Peterson uplifted the legacy of this work of fiction and how it looks at deep moral issues and questions one’s approach to faith and forgiveness by making the following statement: “This book has the potential to do for our generation what John Bunyan’s *Pilgrim’s Progress* did for his” (Young 2007: book blurb). The literary text comes under the
heading of an expressive text type according to Reiss (1981/2000: 63) as the author foregrounds the aesthetic dimension of language. Employing Barthes’s notional apparatus, the selected literary text is a ‘readerly’ text since it is marked by a fairly smooth narrative structure, with narratives and characters presented to the reader by the text allowing them to be a ‘consumer’ of the meanings (see Thornborrow and Wareing 1998: 148-149 for more detail). Furthermore, the rendering of the literary text concurs with Newmark’s communicative translation or Nord’s instrumental translation serving, first and foremost, an aesthetically-oriented mediated communication.

Instead of a classic hypothesis, the following array of research questions, has been taken into consideration and answered in the process of analysis: Will oblique translation procedures in the literary text surpass direct procedures? Will the non-literary text exhibit a foreignizing veneer? Will modulation be extremely frequent in the literary text translation? Which translation procedures will be distinctively characteristic for the literary text? These questions, however, blending both theoretical and empirical qualities, are very closely entwined and thus they were researched synchronically. The key research questions, however, are the following: Do different textual genres lead to the employment of different translation procedures? What striking differences between examined translation procedures across the selected non-literary and literary text can be observed?

4.2.4 Research outcomes & discussion

From the empirical analysis it follows that different textual genres, as exemplified by the selected non-literary and literary text respectively, do not call for the use of completely different translation procedures. Notably, the employment of transposition, modulation, expansion, reduction, permutation, calque and borrowing is likewise traceable in the literary text. This fact supports the argument that my synthesizing translation procedure construct, drawing upon and building on Vinay and Darbelnet’s (1958/1995), Newmark’s (1981, 1988) and Schreiber’s (1993, 1998) theoretical underpinnings, has a sound applicability in the case of the examined literary text, too, even if further translation procedures have been identified and explored therein, too. This finding testifies to a somewhat universal nature of the applied construct. By selection of semantically and formally different text types a new vista for the application of the drawn up model has been opened. What is notable to underscore after the conducted analysis, though, is that translation procedures can be considered a universal
feature of any text under interlingual comparison given the linguistic and cultural dissimilarities between the source text and target text.

Although the research has amply demonstrated the use of more or less the same translation procedures, some conspicuous differences attributable to the pertinent text genre characteristics have been at the same time revealed by the quantitative corpus analysis. Both transposition (word-class and sentence-member) and modulation (especially modulation of expression) exhibit a considerably wider typological scale in the literary text compared to the analysed non-literary text (see Gibová, 2012: 38-49 for more detail). This can be interpreted in light of the more heterogeneous nature of the literary text in terms of its lexico-stylistic diversity of expression, which requires a more stimulating transfer of SL features into the TT when overcoming structural-conceptual asymmetries or ‘lacunas’. The roughly similar values of expansion in both texts can be largely ascribed to an intrinsic nature of translation process per se and the tendency of explicitation as a translation universal regardless of the text type in which it occurs. In the case of the literary text, however, it is confined to cohesive explicitness and lexical unit addition only (see ibid.: 54).

Interestingly enough, the treatment of reduction forms a salient point of contrast between the two texts; while in the literary text it ranks as the fourth most frequently used translation procedure, in the non-literary text it comes across as a minor procedure only. This can be justified by the overall function of EU institutional-legal texts and the nature of EU language work precluding translators from any omission of ST inventory items. Therefore, a complete absence of recasting sentences in the non-literary text does not come as a surprise, either.

Apart from this, another point of difference between the two texts concerns the use of modulation. Even though modulation at the syntactic level (so-called pure modulation) occurs in both texts to the same degree, modulation in the lexicon is more plentiful in the non-literary text, which runs counter to expectations about the nature of literary modulation in general and Alcaraz and Hughes’ hypothesis (2002: 185), in particular.

Furthermore, permutation in the literary text is almost double than that in the non-literary text and evinces only minimum and median type. These divergences of lexicosyntactic TL elements from their original SL positions very often occur in order to maintain a smooth and natural text flow in the TL. Compared to the non-literary text, their occurrence was much more expected, even though it should be stressed that permutations were not absent from the non-literary text, either. Notably, their non-applicability would relegate the text under investigation to a purely robot-like machine translation lacking any intellectual
challenge. Calques and borrowings in the non-literary text by far and away outnumber those in the literary text, indicating that the literary translation is not based on the use of direct translation procedures.

![Chart 2 Frequency distribution of examined translation procedures across the non-literary & literary text](image)

Despite these discernible differences between the examined texts, it should be noted that transposition, expansion and permutation play a significant role in both texts in terms of their frequency distribution, as Chart 2 shows. However, a crucial difference lies in the frequent use of calques in the case of the non-literary illustratory text and in reduction and paraphrase as far as the literary text sample is concerned.

Having answered the key research questions, the subchapter also dealt with a set of minor questions that have been resolved in the analysis. From the quantitative text corpus analysis it follows that oblique translation procedures in the literary text outweigh direct procedures by almost 2.7 times. This corroborates that literary translation is not a straightforward text transfer from SL into TL but demands far more complex stylistic translation procedures due to structural, metalinguistic or cultural differences. Further, the non-literary text under investigation does not indicate, quite surprisingly, a purely foreignizing veneer since the ratio of oblique translation procedures (234 counts) and direction translation procedures (230 counts) is somewhat surprisingly almost tantamount to
each other, thus challenging our expectations. The foreignizing feel of the non-literary text is manifested unequivocally only in its high calque incidence in the text at hand, but not in a holistic text’s perspective. The high incidence of calques in the non-literary text can be explained by EU language policy and its institutional guidelines which urge EU translators to adhere to the ST slavishly and consequently induce them to imitate its language structures. Furthermore, the literary illustratory text sample does not show a plethora of (lexical) modulation, which runs counter to what was hypothesized by Alcaraz and Hughes (2002: 185). Besides, the results of the analysis have indicated that the translation procedures of recasting sentences, adaptation, naturalization and paraphrase turned out to be distinctly endemic to the literary text. Of these, the frequent use of paraphrase testifies to the incommensurably freer translational character of the literary text in comparison with its non-literary counterpart, which speaks volumes about the essence of literary translation as such. By contrast, the low incidence of adaptation, naturalization (especially in terms of English units of measurement) and borrowing implies that the literary text under focus does not brim with a great many culture-specific terms as a result of which the translator did not need to make up foreignness of the source text for the target recipient’s sake. It should be borne in mind, however, that these findings may be quite different in the case of a more culture-specific literary text, and should thus be taken as such.

4.2.5 Summary of findings

To sum up, it ought to be reiterated that understanding the mechanics which govern the use of translation procedures with non-literary and literary text may help translators come up with more successful solutions to translation problems. Granted, apart from the knowledge of translation procedures, a translator also has to have a good intellect, cognitive flexibility, some talent and also experience. It should be highlighted that in this case study, translation procedures have been by no means canonized as a manual for a methodology for translation. Instead, they have been presented as a tool for the systematization of translation theory, to which one still owes a lot, or so it seems.

As the research conducted is by no means exhaustive, it might be valuable to undertake further quantitatively-oriented research in the near future that draws on a much larger sample of empirical text material, which was not possible in the presented case study due to its limited scope. It would certainly be enticing to map out translation procedures in manifold prose texts and perhaps challenge the applicability of my proposed enhanced
construct of translation procedures in this way. Nonetheless, I truly hope that at least some of my research results are instrumental in fulfilling the need for a translatological analysis of typologically different texts focusing on translation procedures.

4.3 Hybridity in EU-ese: a Pan-European Harmonization and/or National Disharmony in Translation?

The topic of hybridity is not entirely new in translation studies. As a matter of fact, hybridity has been on translation theorists’ research agenda since the mid-1990’s and the notions of hybridisation and translations as ‘hybrid’ texts have been explored ever since. At present, when cultures seem to be overlapping more than ever in the globalized world, hybridity is highly topical and deserves more focused treatment.

However, despite existing theoretical approaches, there still seems to be little agreement as to what exactly makes up a hybrid text. To complicate things even more, hybridity has been interpreted by many scholars in many different ways. Whereas some think of it as something positive, some understand it as something imperfect, fallacious, imported by force or even harmful to national identity. This subchapter aims to offer a more precise understanding of hybridity in EU-ese, trace its sources and show how it is manifested in the acquis communautaire. The starting point for the present subchapter is a premise that hybrid texts result from a pan-European convergence of cultures and languages as a consequence of which they reflect specific macrotextual and microtextual features which may clash with TL conventions. The monograph’s subchapter seeks answers to an array of questions with regard to EU institutional-legal texts, for which EU-ese/EU jargon/Euro-language or Eurolect, i.e. bureaucratic language of EU institutions with specialized terminology, prescribed style, convoluted syntactic structures and new buzzwords, is symptomatic. The questions, underlying a qualitative analysis given in this subchapter, are as follows: Why do hybrid texts occur in an institutional environment? What are their traits at the macrotextual and microtextual level? What consequences do hybrids have for EU translators and ultimately for the interpretation of EU translation?
4.3.1 Hybridity, hybrid texts & translation studies

Etymologically, hybridity refers to mixture and may be understood in the broad sense of the word as anything derived from heterogeneous sources and composed of incongruous elements (Collins 2009). Over the past two decades, it has been analysed frequently in connection with cultural translation and postcolonial theories of translation. In 1994, Bhabha published his seminal book *The Location of Culture*, which had a significant impact on the development of hybridity theory. In the era of globalization, when cultural borders are getting even more blurred, hybridity has been shown as a constituting characteristic of social interaction affecting cultural and linguistic identities. In the context of postmodernism and post-colonialism, the concept of ‘in-betweenness’ (or ‘third space’) has gained some relevance. It suggests a contact zone within which different cultures encounter and hybridity is an inevitable result of this overlapping of cultures (Farahzad and Monfared 2010).

In the discussions about hybridity, Trosborg (1997: 147) interprets hybrid texts as translations which are a product of two or more cultures, or a compromise between a number of cultures. Concurrently, she sees EU texts as hybrid political rather than legal texts. Some theorists view hybrid texts as transitory, as a stage in the formation of new text types in intercultural communication which manifest linguistic features that are felt to be foreign (see Tirkonnen-Condit 2001; Schäffner and Adab 1997, 2001). Some even contend that all types of translations are hybrids in some measure because they may be viewed as a transplant of the source text into an alien, target culture setting. The degree of their hybridity is contingent on the extent to which the translator wishes to preserve the foreign in a translated text (Farahzad and Monfared 2010; McAuliffe 2011). Concerning the relationship between translation and hybridity, Schäffner and Adab (2001) draw a sharp line between hybridity of a source text and hybrid text as a consequence of the translation process. Based on their approach, they view translations as hybrids.

Contrary to Schäffner and Adab (1997, 2001), Pym (1996) believes that translation works against hybridisation. In Pym’s view (1996) translations are in fact “agents of dehybridisation” as any translated text marks a line between (at least) two languages and cultures, thereby perpetuating the separation and purity of both. Another reason in favour of dehybridisation is that source-text generation processes are increasingly multilingual while translational outputs are usually monolingual. To rephrase Pym’s interpretation more bluntly, he argues that the translation of multilingual source texts is monolingual. This means that translators “create and project the illusion of the non-hybrid text” (ibid.). Therefore, in light of
Pym’s stance, hybrid texts are not a result of translation. As dehybridisation implies that the translated text will not show the same hybrid features as the source text, in my view this claim, however, cannot be applied to EU translation where there is a chief focus on legal transfer and effects of the translated text in the Member States, as opposed to cultural transfer. According to McAuliffe (2011: 101) supranational legal texts are often deliberately (emphasis added) hybrid because their translation is to underscore the otherness of their origin and to “highlight linguacultural differences between those (hybrid) texts and texts produced within the relevant target language culture”.

Based on the above, it seems that hybridity/hybrid texts may invoke a whole gamut of associations. Despite many contradictory accounts, hybridity in this subchapter is reserved to refer to such institutional texts that display ‘translation effects’, that is dissonances, interferences, disparate vocabulary, a lack of cohesion, unconventional syntax, a certain ‘weakness’ or ‘deteriorialization’, in compliance with Simon’s interpretation (2011: 50). This treatment of hybridity is, of course, consonant with earlier interpretations as advocated by Schäffner and Adab (1997, 2001) when they contend that hybrid texts result from a translation process and show features that somehow seem ‘out of place’, ‘strange’ or ‘unusual’ for the receiving i.e. target culture. Even though EU language policy strives for a homogeneous discourse, what happens in the multilingual setting of EU institutions is that “the specific linguistic and cultural conventions get mixed up and infiltrate each other” (Schäffner and Adab qtd. in McAuliffe 2011: 101).

As suggested above, even if the concept of hybridity is contested and some authors question the usefulness of the concept for its vagueness and inability to distinguish hybrids from other types of translation (see Pym 1996; Calzada Pérez 2001), in my view, hybridity is relevant and useful for understanding the workings of EU translation. What remains less clear, though, is what hybridity actually looks like in EU-ese. While EU-ese is often considered in the context of hybridisation (see Tirkonnen-Condit 2001; McAuliffe 2011 and Biel 2014a), no deeper analysis of the sources of hybridity in EU institutional-legal texts has been performed so far. In the context of the most recent theories, the concept of hybridity is part of ‘cultural translation’ and localization trends in translation studies. This perspective may be partly appropriate for EU legal/political texts if we think of them as the kind of mixed discourse, migrating from one EU Member State to another. Pym (2014: 138) says that hybridization as ‘cultural translation’ means that the “prime cause of cultural translation is the movement of people (subjects) rather than the movement of texts (objects)”. This perspective reflects a development of translation studies from the study of translations as texts to research on
translators as people and calls for social-anthropological and ethnographic research or migration studies. However, in this subchapter I examine hybridity as a linguistic-cultural effect of globalization, or more precisely pan-Europeanization both at the macrotextual and microtextual level. I will confine myself to the text analysis paradigm focusing on finite linguistic products despite the recent “humanization” of translation studies.

4.3.2 Methodological considerations

Throughout the subchapter, continuous examples will be provided from the assembled EU corpus in order to embrace the complexity of hybridity and support my claims. The corpus comprises the following English and Slovak language versions published in the EUR-Lex database between 2008 – 2015: Proposal for a Council recommendation COM/2008/0726, Council Regulation (EU) No 904/2010, Special Report No 9/2011, Opinion No 7/2012, Directive 2014/91/EU and Regulation EU 2015/941. The selected parallel texts were picked with the aim of finding the sources of hybridity in them.

A qualitative analysis is used because it may be considered more appropriate for investigating hybridity in EU-ese due to its multi-layered nature. As hybridity in EU-ese may be found at a good many levels and is virtually impossible to be captured quantitatively, the qualitative analysis has been given preference. Since any qualitative analysis may be subjective, the subjectivity of the qualitative analysis is decreased by a particular excerpt analysis and the use of secondary sources. The selected excerpts are believed to support the analysed phenomena in the best possible manner. The subchapter provides two intertwined avenues of research:

1. a discourse study of EU-ese from the perspective of text formation, terminology, syntax and stylistics;
2. a study of hybridity in EU-ese with regard to the areas designated above.

The methods of contrastive textual analysis, description and interpretative explanations are used to show:

1. how EU discourse accomplishes its linguistic and translational practices;
2. why hybridity has its place in EU-discourse;

25 When referring to English and Slovak EU language versions which are both formally and linguistically mirror-image-like I use the term “parallel texts”. In this context it does not correspond to the traditional use of the term in translation studies (or corpus linguistic approach) as an authentic non-translated text in the language of the TT which is thematically similar or identical to the ST.
3. by what means hybridity comes to expression in EU-ese at the macrotextual and microtextual level;

4. how hybridity affects EU translation.

4.3.3 An analysis of hybridity in EU-ese

4.3.3.1 Production conditions of EU institutional-legal texts

At the macrotextual level, hybridity in EU-ese is an outcome of convergence between multifarious linguistic and cultural systems and institutional patterns of behaviour. Hybridity may be observed in a complex drafting process in the EU institutions. As a result, a source text undergoes various amendments and is revised at many levels. The co-decision procedure requires the involvement of many EU institutions, from revision by legal experts and linguist-lawyers, up to translations being discussed and amended at the European Commission, the Parliament and the Council. This demands the production of innumerable drafts and translations.26 The final *translatum* is therefore hybrid, “the nature of whose source and original has become more and more blurred” (Felici 2010: 102). At present, EU texts are usually drafted in English (see section 2.2.1) first and subsequently other language versions emerge. In addition, many non-native drafters with their flawed linguistic abilities leave their mark on the end text product which is a mixture, a pastiche, a hybrid. However, EU texts are not flawed in the sense that they would break rudimentary grammar rules or change the meaning of lexemes; they stretch the potential of the source and target languages towards new directions in some places while neglecting it in others (see Mauranen 2007: 45). Another important thing is that admission procedures for EU translators do not require translator qualifications as an indispensable criterion. This could maybe also bring about some unfavourable aspects of hybridity.

The source text in institutional translation is a collective product, dynamic and mutable, and recycled many times. It is “a fluid and changeable mass of text, composed of recycled translation, new linguistic material from both core or tool languages, as well as national languages incorporated into the core languages” (Dollerup 2004: 197). For this reason, there are fuzzy boundaries between a source text and target text and it becomes virtually impossible to draw clear-cut lines between an ST and a TT or separate source culture

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26 As Wagner et al. (2002: 48) contend, the principal difficulty of EU translation is said to lie in the “tortuous progress” by which EU documents are drafted, amended and sent for translation.
from target culture. With the recycled source text, hybridity is amplified by the denial of the original language identity.

Furthermore, hybridity in the context of EU texts’ production conditions is attributed also to the nature of EU law. Supranational EU law owes its existence to the individual Member States’ legal systems in which it is applied. Fusing constituent national legal cultures, hybrid EU law may be interpreted as creating a new pan-European legal culture to some extent.

In sum, hybridity in EU-ese at the macrotextual level refers not only to a source text, but to a target text as well as to EU law. The implication of this sort of hybridity is that EU translation demands not only intercultural but also intracultural translation. The latter derives from institutional and supranational culture. As a result, the coaction of the two in the EU habitat leads to what can now be termed as a ‘transcultural’ translation. This is based on overcoming tensions between (inter-)cultures and breaking boundaries between them.

**4.3.3.2 Terminology**

Moving to a microtextual level, hybridity of EU language may be observed in one of the most demanding areas of institutional translation – terminology. New terms, as used in the hybrid space of EU institutions at an intersection of twenty-eight Member States, can be perceived as linguistic and cultural products of pan-Europeanness. The hybridity of terminology comes to life in the formation of EU neologisms which challenge conventional English word-formation possibilities in order to fulfil certain conceptual lacunae. This may be exemplified by the following neologisms: *conditionality, comitology, financial envelope, flexicurity, planification, mainstreaming* or *cross-compliance*. By new pan-European concepts, which find their expression in currently twenty-four official languages, EU terms occupy space ‘in-between’ cultures, which strengthens their hybridity. A short definition of the selected concepts from the corpus promoting the linguistic and cultural hybridity of EU-ese including its Slovak translation based on the IATE database is provided below.
### Table 19 Selected EU neologisms conveying linguistic and cultural hybridity in EU-ese

<table>
<thead>
<tr>
<th><strong>EN term</strong></th>
<th><strong>SK term</strong></th>
<th><strong>Definition in IATE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>conditionality</td>
<td>podmienenosť</td>
<td>the use of incentives to alter a state’s behavior or policies - is a basic strategy through which international institutions (...) promote compliance by national governments</td>
</tr>
<tr>
<td>comitology</td>
<td>komitológia/ postup výboru/komitologický postup</td>
<td>Procedure whereby the European Commission executes the implementing powers conferred on it by the legislative branch (i.e. the European Parliament and the Council of the European Union) with the assistance of committees consisting of Member State representatives; (Note: the term is deprecated now).</td>
</tr>
<tr>
<td>financial envelope</td>
<td>finančné krytie</td>
<td>the total expenditure authorised for a given budget heading</td>
</tr>
<tr>
<td>flexicurity</td>
<td>flexiistota</td>
<td>a policy strategy to enhance, at the same time and in a deliberate way, the flexibility of labour markets, work organizations and labour relations on the one hand, and security – employment security and income security – on the other</td>
</tr>
<tr>
<td>planification</td>
<td>plánovanie</td>
<td>Note: planification does not exist in English, but it comes up frequently in EU legislation; meaning: planning</td>
</tr>
<tr>
<td>mainstreaming</td>
<td>uplatňovanie hľadiska</td>
<td>the systematic incorporation of a given priority or approach as a central part of more general policy-making</td>
</tr>
<tr>
<td>cross-compliance</td>
<td>krížové plnenie</td>
<td>the making of direct payments to farmers conditional on compliance with legal requirements relating to the environment; public, animal and plant health; and animal welfare</td>
</tr>
</tbody>
</table>

Although such new pan-European terms may at first puzzle English native speakers, they have become valid lexical units in EU discourse. At the same time, they create a new supranational linguistic culture. As a result of the convergence of the different legal systems and cultural traditions, EU terminology is neither typically continental nor English. It is deterritorialized because it is not rooted in one (legal) system nor connected with a language of a particular Member State.

Hybridity at the terminological level has its pros and cons. Seen from a linguistic angle, the sparse inflection in English and its structural flexibility enable users to form new terms with relative ease, sometimes by blending two concepts into a single term, *e.g.* flexicurity. Here, the indefinite semantics of English provides the much striven neutrality of expression, a feature which supports the lack of cultural specificity advocated by the EU language policy. This is also recommended in Principle 5 of the *Joint Practical Guide* (2013:
11) according to which “concepts or terminology specific to any one national legal system are to be used with care.” Thus, EU drafters and translators are strongly encouraged to avoid terms of national law and replace them with more neutral terms. Abstract terms (such as those in Table 19) with their neutral semantics are believed to ensure a mixture of the Member States’ national interests and in this manner a certain political compromise may be achieved by EU institutions. English as a lingua franca of the EU enhances hybrid word-formation patterns in other official languages, reflecting the linguistic and cultural ‘in-betweenness’ of EU terms, e.g. SK flexiistota, DE Flexicurity/ Flexibilitäit und Sicherheit, FR flexicurité/ flexisécurité. With these generic concepts being not bound to any particular legal culture, they are easily adjustable to any language.

On the other hand, the downside of the new terms’ neutral semantics is that they represent foggy expressions for EU outsiders. When translated into other national languages, some terms require a more detailed explanation and therefore “run the risk of introducing additional concepts or cultural-specific nuances” (Felici 2015: 127). This may be exemplified by the following Slovak and German interlingual comparison where the German version of the term is much more detailed than the Slovak one:

<table>
<thead>
<tr>
<th>EN</th>
<th>mainstreaming</th>
</tr>
</thead>
<tbody>
<tr>
<td>DE</td>
<td>generelle Berücksichtigung; durchgängige Berücksichtigung; Integration in alle relevanten Politikbereiche, Einbeziehung einer Fragestellung als Querschnittsthema</td>
</tr>
<tr>
<td>SK</td>
<td>uplatňovanie hládiska</td>
</tr>
</tbody>
</table>

(source: http://iate.europa.eu/)

Another translatological problem with hybridity of EU language is reflected in the interplay between national and supranational elements in translation. In EU translation, there is a frequent tension between national speak and EU-speak in translation. For illustration, the term bovine milk from the corpus is translated into the Slovak acquis communautaire as kravské mlieko. However, as the biological subfamily “Bovinae” includes a diverse group of animals ranging from cattle, buffalo and yak, the translation into Slovak could theoretically also have the following reading: byvolie mlieko or jačie mlieko. The problem is that EU regulations are not only valid in Slovakia, but also in other EU Member States where milk may come from the animals mentioned above (e.g. in Italy, mozzarella is made from the domestic Italian water buffalo). The term under discussion serves to demonstrate that EU terminology should be independent of national terminologies because some concepts may

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27 English in this sense is referred to as a vehicular language of the EU. The so-called English as a Lingua Franca approach (ELF) investigating language change and language contact including the status of the “(non-)native speaker” falls outside the remit of discussion within this subchapter.
reflect different realities. On the other hand, hybridity of EU language necessitates terminological consultations with pertinent national experts so as to avoid problems with transposing EU legislation into national legal systems.

A crucial role in the EU English is played by non-native users. This phenomenon is referred to by van Els (2001: 344) as the shift in the ownership of the language. According to recent statistics, as few as 13% of all EU texts are actually drafted by English native speakers (Ramos 2014: 327). In connection with Brexit, the percentage is likely to dramatically change in the foreseeable future, possibly dropping to just 1% although the status of English as an official language may despite some voices remain unchanged. Besides, native speakers who work in the institutional setting often experience “some erosion of their ability to speak and write their mother tongue” (Wagner et al. 2002: 76). This increases the hybridity of EU-ese, which may be observable in the linguistic facet of English originals. These may be characterized by lexical neologisms (e.g. comitology instead of committee procedures or precisions instead of the established plural lexeme details), variations in the use of definite and indefinite articles and non-standard use of prepositions (e.g. establish national plans for rare diseases in order to *ensure to patients with rare diseases universal access to high quality care*). Hybridity at the terminological level also acts as a multiplier of mutation in the non-standard use of non-count nouns. For illustration, the term action is used across EU legislation as a count noun as a synonym for “scheme”, “project” or “measure”, e.g. Measures may include specific *actions for the development of e-Government*.

Moreover, the hybridity of the source text is achieved by interferences where certain terms may take on infelicitous meanings, e.g. dispose of means “to have”; transpose acquires the semantics of “to implement.” This creates lexical dissonances in EU texts when compared to the semantics of the said terms in standard English. Compare the following: The Commission may not be able to assess the reliability of the data provided by Member States and may not *dispose of independent information sources* or The Commission shall [...] publish on its website the details of the provisions approved by each Member State which *transpose Chapter 3 of Title XI of Directive 2006/112/EC*. As to the former, the most

28 The term “ownership of the language” or “ownership of English” was firstly coined by Widdowson (Jenkins 2009: 184).
common meaning of the term “dispose of” in English is “to get rid of”; it never means “to have/to possess”. As for the latter, the term “transpose” is never used as a legal term outside the EU setting. According to Gardner (2013: 63) English-speaking lawyers are indeed able to guess that the term in point means “to enact the provisions of a Directive in national legislation” if they are given the full context. However, when decontextualized, the meaning remains unclear. In addition, there seems to be no good reason why one should not use the correct English legal term, which is “enact”.

The above linguistic manifestations suggest that the terminological nature of English source texts leads to the hybridity of EU language. Judging by the examples given above, it is clear that reduced linguistic idiomaticity runs rampant in EU-ese. There are interferences symptomatic of English as a lingua franca in lexis, caused by the involvement of non-native speakers. It is the nature of the hybrid language, one which no longer reflects the mentality and architecture of the English legal culture, that it is bound to cause translation problems. Hybridity in lexical strands of EU texts bears out the hybridity of source texts. One corollary of non-native speakers’ working in the EU multilingual environment is the denial of the original language identity. Their presence increases translation effects in EU-ese and consequently in translations into other official languages.

4.3.3.3 Stylistics & syntax

Hybridity of EU language also affects stylistics and syntax in resulting translations. As it is necessary to achieve the identical legal effect in all official languages in EU translation, the source text has a strong status. Its nature is then reflected in the nature of the target text. EU translators, bound by numerous rules and guidelines, strive hard to recreate similar language structures so as to comply with EU translation principles. When translating into the target language, EU translators are required to respect the source text’s structure and abide by its syntactic organization (Joint Practical Guide 2013: 9-10). Indeed, this may seem to be in complete opposition to what a successful translation aspires to be. In the EU framework, however, such an approach only serves to demonstrate the specificity of EU translation. In this connection, Frame (2005: 122) speaks of the so-called “inertia principle” of multilingual translation.

Stylistically, I perceive EU texts as hypnotic texts because they imitate their prototexts whereas “translation proper” should mould its source text based on its function. To some extent, hypnotic texts could be likened to interlinear translation as defined by Shuttleworth
and Cowie (1997: 81), which is a sort of extremely literal translation in which TL words are arranged line by line below or above the ST items to which they correspond.

The consequence of the hypnotic text production is a hybrid text for it disregards TL norms and conventions. Biel (2014: 297), inspired by Bhatia’s and Fairclough’s ideas, describes this process as colonisation of a genre by another\(^{33}\). In our case, “the genre of EU legislation invades the integrity of, and colonises the genre of, national legislation” (ibid.). This forces national languages in EU translation into an unnatural shape, breaking common TL conventions. For illustration, hypertrophy of relative conjunctions in the Slovak language version of the EU text under study may be felt to be stylistically inappropriate for a prescriptive linguist even if for a lawyer it is a genre-driven feature due to achieving precision, e.g.

Provision should be made for the Commission, assisted by the Committee established by Article 285 of Regulation (EU) No 952/2013 of the European Parliament and of the Council (6), to adopt the Regulations opening and providing for the administration of tariff quotas which might be granted as a result of negotiations on further tariff concessions pursuant to Article 29 of the SAA.

*(source: Regulation EU 2015/941)*

Malo by sa zabezpečiť, aby Komisia, *ktoré* pomáha výbor zriadený článkom 285 nariadenia Európskeho parlamentu a Rady (EÚ) č. 952/2013 (6), prijala nariadenia, *ktoré* otvárajú a stanovujú správu colných kvót, *ktoré* by sa mohli poskytnúť ako výsledok rokovaní o ďalších colných koncesiách podľa článku 29 SAD.

*(source: Nariadenie EÚ 2015/941)*

Stylistic infelicities, such as those adduced above, show how EU texts, due to their hybridity, many times fail to meet the expectancy norms of Slovak lay recipients. Hybridity is induced by the prescribed EU style of rendering English *–ed* and *–ing* non-finite verb forms by attributive/relative clauses into Slovak, which results in their clustering. The clustering of the clauses is connected to the legal drafting tradition which does not support the division of sentences. The apparent influence of English stylistics on the TT contributes to the mixing of supranational and national legal traditions.

According to Chesterman (1993: 8-10), expectancy norms comprise the TT recipients’ expectations as to translations and corresponding native texts. Expectancy norms reflect the degree of divergence that TT recipients are capable of tolerating. However, broken expectancy norms affect many national recipients of the acquis, not only Slovaks. There is a chasm between expectancy norms on the one hand and constraints that EU translators are

\(^{33}\) “A process thus involves invasion of the integrity of one genre by another genre or genre convention, often leading to the creation of a hybrid form, which eventually shares some of its genre characteristics with the one that influenced it in the first place” (Bhatia qtd. in Biel 2014:297).
bound by when translating EU multilingual law on the other. Considering EU translation-related restrictions and the complex conceptual network of supranational law, the animadversion directed at translators (except for critical errors made) is not always justified.

It is often forgotten that EU translators form part of a gigantic machinery, where their language is not individual but heavily controlled, and consequently their translation is not a personal act but a collective expression with a limited responsibility. Thus, the attempts to castigate EU translators for their language work may mirror insufficient knowledge about the specificities of EU translation. These also come to expression in a very evident manner with regard to the syntactic facet of EU-ese. The syntax of EU-ese is often hyper-complex; there are intricate sentences with convoluted wordings which burden the recipient’s attention and thus have an adverse effect on multilingual transfer, e.g.

In particular, the Commission should be empowered to adopt delegated acts to specify the particulars that need to be included in the standard agreement between the depositary and the management company or the investment company, the conditions for performing depositary functions, including the type of financial instruments that should be included in the scope of the depositary’s custody duties, the conditions subject to which the depositary may exercise its custody duties over financial instruments registered with a central depositary and the conditions subject to which the depositary should safeguard the financial instruments issued in a nominative form and registered with an issuer or a registrar, the due diligence duties of depositaries, the segregation obligation, the conditions subject to and circumstances in which financial instruments held in custody should be considered to be lost, and what is to be understood by external events beyond reasonable control, the consequences of which would have been unavoidable despite all reasonable efforts to the contrary.

(source: Directive 2014/91/EU)

Komisia by mala byť predovšetkým splnomocnená prijímať delegované akty na spresnenie podrobností, ktoré treba začleniť do štandardnej zmluvy medzi depozitárom a správcovskou spoločnosťou alebo investičnou spoločnosťou, podmienok vykonávania funkcií depozitára vrátane typu finančných nástrojov, ktoré by sa mali zahrnúť do rozsahu úloh depozitára v oblasti úschovy (custody), podmienok, na základe ktorých môže depozitár vykonávať svoje úlohy v oblasti úschovy (custody) finančných nástrojov evidovaných v centrálnom depozitári, podmienok, na základe ktorých by mal depozitár uschovávať (safekeeping) finančné nástroje emitované na meno a registrované u emitenta alebo v registri, povinnosti náležitej starostlivosti depozitárov, povinnosti segregácie, podmienok a okolnosti, za akých by sa finančné nástroje držané v úschove (custody) mali považovať za straténe, a čo sa rozumie pod vonkajšími udalosťami, ktoré nemožno primerane ovplyvniť a ktorých následkom by sa napriek všetkej primeranej snah o opak nedalo vyhnúť.

(source: Smernica 2014/91/EÚ)

The EU text paragraph cited above reveals several problems. Firstly, the original hybrid text becomes even more hybridised in the Slovak language version, which also comprises lexical mixing of two language codes, e.g. oblasť úschovy (custody), uschovávať (safekeeping). With respect to the whole paragraph, it should be mentioned that such convoluted syntax does not sit easily with Garzone’s (2000: 6) interpretation of the language of hybrids as “a more straightforward” language. Many a time, the opposite occurs in the syntactic reality of the acquis. However, in order to fully corroborate the invalidity of
Garzone’s statement, quantitative research would have to be carried out, which is outside this subchapter’s scope.

Secondly, it reveals a certain paradox in the institutionalization of EU translation: on the one hand there are efforts to standardize, regulate and rationalize EU translation, but on the other hand there is a contradiction in the existing syntactic reality of EU texts, which are often a far cry from the “in so far as possible everyday language” recommended by the Joint Practical Guide (2013: point 1.4.1). Thirdly, any suggestions to simplify the syntactic structure in the target text would reach a deadlock due to EU translation principles at work, which significantly reduce the range of possible translation solutions. The hyper-long sentence in the target language is an outcome of the intricate nature of the original and the quality of drafting. From a translatological angle, neutralized hybrid language with generic concepts imposes a neutral tone and theoretically, it should be easier to transfer in multilingual translation. However, from a stylistic-syntactic point of view, the semantic neutrality of hybrid texts often leads to language which is neither plain in its drafted form nor in translation. Stylistic-syntactic hybridity thus ultimately supports the negative associations with understanding of hybridity in EU-ese.

4.3.4 Summary of findings

To sum up, this subchapter suggests via its cross-sectional design that hybridity in EU institutional-legal texts is of multi-layered character and affects both their macrotextual as well as microtextual levels. It is beyond doubt that hybrid texts occur in the institutional setting because they result from the mixing of many languages, cultures, legal systems and involvement of native and non-native speakers in the drafting and translation process. Their role is to create a supranational transculture and via pan-European harmonization, bridge gaps between the Member States’ legal systems and preserve the status of national languages.

The implications of the qualitative analysis are as follows: 1) Owing to a complex drafting process in the EU institutions, hybridity pertains not only to a source text, but also to a target text and supranational law and demands intercultural as well as intracultural translation on the part of EU translators; 2) hybridity in EU terminology is observable in new EU neologisms which occupy space ‘in between’ cultures. The deterritorialized and acultural nature of EU terminology supports generic concepts which ensure semantic neutrality of expression and easier adjustability to other national languages. Hybridity of EU language is
mirrored in the interplay between supranational and national elements in translation, which creates tensions to be reconciled by translators after terminological discussions with experts. Coupled with lexical dissonances and interferences, hybridity acts as a multiplier of mutation, increasing translation effects in EU-ese and translations; 3) the stylistic-syntactic text level discloses the colonisation of the national legislation by the supranational text genre resulting in broken expectancy norms of national recipients, disregarding TL conventions.

Overall, the consequence of hybridity for EU translators is that they cannot function as “agents of dehybridisation” because the translations they produce must reflect linguistic-cultural specificities of the source texts, which are in nature very hybrid. Producing target texts which would fully respect the target culture’s conventions would run against all working principles of EU multilingualism and its translation rules. Making multilingual communication in the pan-European world possible at the supranational level, this has never been nor will ever be its purpose. For this reason, EU translators may be expected to continue with their source-oriented approach in the future direction of EU translation.